

**EXHIBIT****Setzer 46**

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**Report of Expert Witness, Craig Setzer**

This report is being provided pursuant to Fed. R. Civ. Proc. 26(a)(2)(B). The required disclosures follow:

**(i) A complete statement of all opinions the witness will express and the basis and reasons for them.**

Based on the weather and marine conditions referenced in the attached reports, it is my expert opinion that the voyage in question would have been well within the Melody's capabilities. It is also my expert opinion that it is feasible the Melody made its mid-December 2019 journey across the eastern Caribbean Sea while NOT violating the insurance policy's 150 NM from land navigational provision. See attached reports entitled "Eastern Caribbean Marine Weather Conditions December 14 to December 18, 2019" identified as Exhibit A.

**(ii) The facts or data considered by the witness in forming them.**

The conclusions and opinions of these reports are based upon weather data gathered from the Tropical Analysis and Forecast Branch (TAFB) unit of the National Weather Service's National Hurricane Center (NHC), under the agency known as the National Oceanic and Atmospheric Administration (NOAA). Weather data was also gathered from the National Data Buoy Center (NDBC) of NOAA via the National Centers for Environmental Information (NCEI), including ship reports via the NCEI. The testimony of Martin Andersson contained in the deposition by Zoom on Friday, June 4, 2021 was also referenced in portions of the report. The report dated Friday, September 4, 2020 from Caribbean Marine Surveyors Ltd. was referenced for dates, times, and locations as was the Answer, Affirmative Defenses, and Counterclaim to the Complaint dated May 12, 2020. The Andrew Ball depositions were reviewed but did not influence the direction or outcome of these reports. See attached reports entitled "Eastern Caribbean Marine Weather Conditions December 14 to December 18, 2019" identified as Exhibit A. Additional research production is identified as Exhibits B and C.

**Report of Expert Witness, Craig Setzer (cont.)****(iii) Any exhibits that will be used to summarize or support them.**

See attached reports entitled "Eastern Caribbean Marine Weather Conditions December 14 to December 18, 2019" identified as Exhibit A.

**(iv) The witness's qualifications, including a list of all publications authored in the previous 10 years.**

There have been no publications authored in the previous 10 years. See attached Curriculum Vitae identified as Exhibit D.

**(v) A list of all other cases in which, during the previous 4 years, the witness testified as an expert at trial or by deposition.**

There has been no testimony or depositions as an expert witness in the past 4 years. See attached Curriculum Vitae identified as Exhibit D.

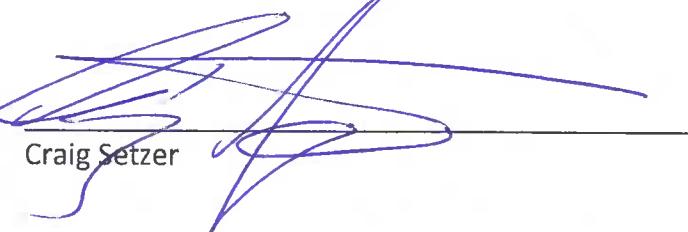
**(vi) A statement of the compensation to be paid for the study and testimony in the case.**

See attached introductory letter of retainer and fees dated February 14, 2022, as well as the attached invoice dated February 28, 2022, identified as Exhibits E and F respectively.

The information contained herein is based upon my personal observations, the materials listed above, and my knowledge based upon 35 years' experience as a Meteorologist, Bachelor of Science degree.

Dated

Feb 28, 2022

  
Craig Setzer